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The Oregon Archives.

Including the journals, Governor's messages and public papers of Oregon, from the earliest attempt, on the part of the people, to form a government, down to, and inclusive of the session of the Territorial Legislature, held in the year 1849.

Collected and published pursuant to an act of the Legislative Assembly passed January 26. 1853.

By La Fayette Grover,
Commissioner,
Salem, Oregon.

Asahel Bush ~~Territorial~~ Public printer
1853.

Preface,

In the preparation for publication, of the "Oregon Archives," the Commissioner has been met with many obstacles to the perfect success and early completion of the important work assigned him. Within the proper depository of the public papers he has not been able to find entire and satisfactory records of all that, he is satisfied, has transpired in Oregon of a public general nature and which would be of eminent historic importance. On this score, he has spared no pains, ~~to~~ search in from other ~~authentic~~ and reliable sources ~~and~~ such information as would fill existing blanks or furnish sufficient explanation of seeming discrepancies and wants. But so short a time has been allotted him to bring his work to a close, that it goes from his hand with many fears, lest it may prove less perfect than it should. He is most happy here to acknowledge the valuable, assistance information which he has derived during the course of his labors, from the Hon. J. Quinn Thornton ~~late Chief Justice of the Provisional Government of Oregon, &c.~~ Dr. Wm. H. Willson and Rev. David Leslie, and Josiah L Parrish, as well as from many others who bore important parts in the early history of our Territory. The commissioner also acknowledges the ~~efficient~~ ~~aid~~ of C. P. Crandall Esq in the immediate compilation of ~~the~~ Archives.

L. F. G.

Salem, Oregon, August, 1853.

Public Meeting
held on the 17th Feb. 1841.

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committee of seven elected for the purpose of drafting a constitution and code of laws for the government of the settlements, south of the Columbia river

It was then - Resolved - That all settlers, north of the Columbia river, not connected with the Hudson Bay Co., be admitted to the protection of our laws, on making application to that effect

The meeting then proceeded to advise the committee of arrangements, to propose the making of certain Officers - to wit;

* No record of the meeting here ~~spoken of~~ referred to has been found; but it has been ascertained that it was merely an informal preliminary consultation of a few persons immediately connected with the American Mission station in the Willamette Valley. Nothing of importance was transacted except the election of the committee above noticed. — Com:

A Governor — a Supreme Judge, with probate powers — Three Justices of the Peace — three Constables — three Road Commissioners — an Attorney General — a Clerk of the courts and Public Recorder — one Treasurer — two Overseers of the poor.

It was recommended to nominate persons to fill the several offices — and that they be chosen *viva voce*

The meeting then resolved itself into Committee of the whole for the purpose of choosing Candidates for the several Offices, and after having nominated persons to fill the various Offices, it was — Resolved — that the doings of the committee of the whole, be deposited in the hands of the Chairman to be presented to the meeting tomorrow

On motion, the meeting then adjourned to meet at 8 O'clock tomorrow.

Feb 18th. 1841.

At a full meeting of the inhabitants of Willamette valley at the American Mission House,

David Leslie was elected Chairman — and Sidney Smith and Gustavus Hines were chosen Secretaries

The doings of the previous meeting were presented to the assembly and were accepted, in part — viz;

That a committee be chosen for framing a Constitution and drafting a code of laws — and that the following persons compose the Committee to wit;

Revd F. N. Blanchet, Revd Jason Lee, David Donpiere, Gustavus Hines, Mr Charlevon, Robt Moore, J. L. Parish, Etienne Lucie, and Wm Johnson.

I. L. Babcock was appointed to fill the Office of Supreme Judge, with Probate powers

Geo Le Breton was chosen to fill the Office of Clerk of courts and public Recorder.

Wm Johnson was chosen to fill the office of High Sheriff.

Xavier Laderout, Pierre Billique & William McCarty were chosen Constables.

Resolved – That until a code of laws be adopted by this community, Dr Babcock be instructed to act according to the laws of the State of New York

Resolved – That this meeting now adjourn to meet on the first Tuesday of June at the new building near the Catholic Church.

Tuesday June 1st 1841

An adjourned Meeting of the inhabitants of the Willamette Valley, at the new building near the Catholic Church, was called to order by the Chairman.

On motion, the doings of the former meeting were read

The report of the committee for drafting a Constitution and Code of laws was called for, and responded to by the Chairman and others, that no meeting of the committee had been held, consequently no report had been prepared.

Revd F. N. Blanchet requested to be excused from serving further upon the committee to draft a Constitution and Code of laws — and was.

Excused.

On motion — Resolved — that one person be chosen to make up the number of said Committee

Dr Bailey was chosen.

On motion — Resolved — that this Committee be instructed to meet on the first Monday in Aug. next.

On motion — Resolved — that this Committee be instructed to report to an adjourned meeting on the 1st Tuesday in October next.

On motion — Resolved — that the Committee for drafting Constitution and laws be instructed to confer with the Commodore of the American Squadron and John McLaughlin Chief Factor of the Hudson Bay Co. with regard to forming a Constitution and code of laws for this community

Resolved — that the motion to adopt the report of the nominating committee presented at a former meeting, be reconsidered

Resolved — That the Committee to draft a Constitution &c be instructed to take into consideration the number & kind of Offices it will be necessary to create in accordance with their Constitution and Code of laws and report the same to the next meeting — and that the report of the nominating committee be refered to said Committee

Moved & carried that this meeting adjourn to meet at the American Mission House at 11 O'clock on the 1st Tuesday in October next.

Signed.

Sidney Smith
Gustavus Hines
Secretaries

1084

To the Hon the Senate and House of Representatives of the U S in Congress Assembled —

This duplicate of another copy — rather original & is found in Gray's Hist. of Oreg. MSS 1910. (7 GPD)

Your Memorialists the Legislative assembly of Oregon Territory would respectfully beg leave once more to lay before your Hon'd body a brief statement of their situation and wants.

Having called upon the Government of the U.S. so often in vain, we have almost despaired of receiving its protection, yet we trust that our present situation when fully laid before you will at once satisfy your Hon'd body of the great necessity of extending the strong arm of guardianship and protection over this remote but beautiful and valuable portion of ~~our empire~~ the U.S. domain

Our relations with the proud and powerful tribes of Indians residing east of the Cascade Mountains, hitherto uniformly amicable and pacific, have recently assumed quite a ~~contrary~~ different character. They have shouted the war-whoop, and crimsoned their tomahawks in the blood of our citizens. The Cayuse Indians after committing numerous outrages & robberies upon the late emigrants, have without the semblance of provocation or excuse ~~unprovoked~~ murdered eleven American citizens. Among the number were ~~the~~ Dr Marcus Whitman and his amiable wife members of the American Board of Foreign Missions. Called upon to resent the outrage we feel sensibly our weakness and inability to enter into a war with powerful tribes of Indians. Such outrages cannot however be suffered to pass unpunished, it will be only the commencement of further and more extensive murders, and our hitherto peaceful settlements will become the scene of fierce and violent warfare. We do not doubt the ~~willingness~~ readiness of the people of this country to defend their lives and property, and to submit to all the privations incident to a state of war in a new and remote settlement like this. Circumstances warrant your Memorialists in believing that many o the powerful tribes inhabiting the upper valleys of the Columbia have formed an alliance for the purpose of carrying on hostilities against our settlements. The number of the white population of Oregon is alarmingly insignificant, compared with the swarms of Indians which throng its ~~the~~ valleys. To repel the attack of so formidable a foe and protect our families and property from ~~their~~ violence and rap~~acity~~ine will require more strength than we posess. We are deficient in many of the grand ~~materials~~ essentials of war, such as men arms and treasure: for them our sole reliance is on the Gov of the U.S; ~~And~~ we have the right to expect your aid. and you are in justice bound to extend it. For although we are seperated from our native land by a range of mountains, whose lofty altitudes are matted in eternal snow although three thousand miles - nearly two thirds of which is a howling wild- lie between us and the federal Capitol. Yet our hearts are unalienated from the land of our birth our love for the free and noble institutions under which it was our fortune to be born and nurtured, remains unabated, - in short we are americans still, residing in a country over which the Govt. of the U.S. have the sole and acknowledged right of sovereignty, and under such circumstances we have the right to claim the benefit of ~~its~~ laws and protection

Your memorialists would avail themselves of this opportunity to invite your attention to ~~another~~ other subjects of deep vital interest to the Citizens of this Territory. The very nature of our compact formed between the citizens of a republic and the subjects and official representatives of a monarchy is such that the ties of political union could not be drawn so closely as to produce that stability and strength suffict to form an efficient government. This union between the democrats of a republic and wealthy aristocratic subjects of a monarchy could not be formed without reserving to themselves the right of allegiance to their respective governments. Political jealousy and strong party feeling have tended to thwart and render impotent the acts of a government from its very nature weak and inefficient. In establishing a regular form of governments & ~~In~~ creating tribunals for the adjustment of the rights of individuals and the prevention and punishment of crime, a debt has accumulated, which though an insignificant amount your memorialists can devise no means of liquidating. The revenue laws from not being properly executed, while they are burdensome to classes of our citizens and sections of country are wholly disregarded by others, and whole counties which for numerical strength are equal to any in the Territory and fully participating in all the advantages of our compact have never contributed any assistance in bearing the common burden-

To coerce obedience to our temporary government would at once destroy the great object which called it into existence, the peace and ~~quiet~~ harmony of our country- Anxiously looking forward to that happy period when we should again be under the protection of our revered and parent republic, we have rather endeavored to maintain peace by forbearance than to command obedience by force, hoping that the dangers and difficulties to be apprehended from domestic discord and from the savages around us would be postponed until we became an acknowledged people and under the protection of our mother country-

The action of your Hon. body in regard to the lands in Oregon would seem to justify the expectation that liberal grants of would be made to our citizens, yet the uncertainty of our title, and the uneasiness which is felt upon this subject urges us to press this subject upon your attention. Our citizens before leaving their homes in the U.S. for

Oregon have had the strongest inducements held out by Congress to settle in this Country and their just expectations will not be met short of a liberal donation of land.

On the subject of filling the offices that will be created in the event of the extension of the jurisdiction of the U. S. over this Territory Your memorialists would respectfully represent that as the pioneers of the American population in this country, the present citizens of Oregon have strong claims upon the patronage of the General Government and that it ~~will~~ would be gratifying to have them filled by our fellow citizens, but as few of them of an equally deserving number can enjoy this mark of the approbation of our parent republic, and in view of our peculiar and difficult situation, it is the opinion of your memorialists that it will be better for the future prosperity of our country and that the great mass of the people will concur with ~~us~~ them in requesting that important and responsible offices created here such as the office of Governor and ~~Judges~~ the Superior Judgeships should be filled with men of the best talent and most approved integrity without regard to their present location —

If it be at all the intention of our honored parent to spread her guardian wing over her sons and daughters in Oregon, she surely will not refuse ~~to~~ to do it now when they are struggling with all the ills of a weak & tottering government, and when perils are daily thickening around them and preparing to burst upon their heads. ~~[illegible]~~
~~[illegible]~~

~~anxiety for the coming of your laws & your arms~~ When ~~as~~ the ensuing Summers sun shall have dispelled the snow from the mountains we shall look with glowing hopes & notably anxiety for the coming of your laws & your arms.

The accompanying documents will afford additional information concerning some of the subjects of which we have spoken.

~~[illegible]~~ To insure the speedy conveyance of these papers to the Federal Government your memorialists have elected Joseph L. Meek Esq. a special messenger to bear ~~them~~ same. and respectfully ask ~~[illegible]~~ your Hon. Bodies to make him such compensation therefor as you may deem just

And your memorialists will ever pray &c

1865

The Santiam
Road Company

Dec 22 read
a first time

Dec 28 read
a second time
and
ind. postponed

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amended & adopted

Apd.

1867

An act entitled an act authorising William Hughs and ~~William~~ William Hamilton and their associates to Construct a wagon road across the cascade the mountains

Sec Be it enacted by the house of representatives of Origon Teritory as follows

Sec 1 That Wm Hughs Wm Hamilton and their associates be and they are hereby authorised to construct a wagon road across the cascade Mountains in the vicinity of the sandy-ane river to intercept the old road in the vally of the Malheur River or eastward there of

Sec 2 – Said road shal be made so as to admit of wagons passing in safety by the first of Sept 1848

Sec 3 When said road is ~~done~~ completed, it shal be the duty of the said road company to report the same to the governor who shal appoint a Commissioner to to view said road and report under oth the condition of said road And if it is the opinion of said commissioner that wagons may pass the road in safety it will be lawful for the said road company to colect toll at the following rates

for every wagon or other wheal ~~carrage~~
carriage and team dollars
for each head of horses ~~cattle~~ mules
and asses cts ~~dollars~~
for each head of cattle cts
for each head of sheap cts

Sect 4 And said road company shall by keeping the road open and in good repair be entitled to the above mentioned rates of toll for the term of years when they shall surrender the said road with all the improvements thereon to the government there after to be free to all persons what so ever

H. A. J. Lee
Address to the
Emigrants.
1848

Copied

To Immigrants

By an act of the legislature of Oregon Territory approved it is made the duty of the Superintendent of Indian Affairs, to give to persons immigrating into the Valley of Wallamette, such instructions and advice, in refference to their intercourse with the Indian tribes along the road, as he shall deem necessary to the safty of the immigrants and the maintenance of peace with the Indians In discharging that duty at present, it is believed that the Supr. Intdt cannot do better, than to furnish you the accompanying Way bill, and give you a brief statement of our present relations with the Indians.

With the Cayuses, through whose territory the old or Northern raut passes, we are at open hostilities — and their territory is the seat of war. The Indians inhabiting the country along the Columbia river from the territory of the Cayuses to the Dalles are also in arms against us, in alliance with the Cayuses. We have two military posts within the territory of the enemy — One in the Cayuse Country, other at the Dalles 150 miles west of the former. Up to this time we have succeeded 2 in keeping the war in their own Country, which we now possess. Driven from their Country the Cayuses will doubtless disperse themselves through the other tribes in order to form alliances and raise recruits — and should succeed in exciting to hostilities the Snake and other Indians living a long the old road, &c You would find yourselves in a hostile country beyond ~~one~~ the influence of our forces.

How far the spirit of war may be spread by the war party cannot be even guessed at with any degree of certainty.

With the Indians along the Southern rout as marked in the way bill, we have no understanding — and but little acquaintance — They are about 250 miles south of the Cayuse Country and as you will learn from the remarks of Mr Applegate, they are treacherous and even hostile where they are not awed by superior forces.

They are however less war-like than the more northern tribes and not so well armed, having Comparitively but few firearms.

As to the Choice of the two routs, aside from the Indians, it may be sufficient to say that the last immigration divided and the party on the Souther road were more successful in getting their property into the settlement, than those who took the old road. The presence of U.S. troops will secure your safty on either road — In their absence, it will *necessary*, on the Old road, and *prudent* on the New one, to organize yourselves into regular Military Companies — and Consider yourselves soldiers in an enemies Country and your families and property as your ordnance & baggage trains — Give no unnecessary offence to the Indian — but above all, give them no reason think you fear them. Experience has taught us that the ~~only~~ best way to keep the Indians *really* friendly is to keep them afraid of us.